

**BEFORE THE BOARD OF SOCIAL WORK EXAMINERS**

**STATE OF IDAHO**

In the Matter of the License of:	)	
	)	Case No. SWO-2007-15
RAYMOND J. JUDGE,	)	
License No. LSW-370,	)	<b>STIPULATION AND</b>
	)	<b>CONSENT ORDER</b>
Respondent.	)	
	)	

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SWO\Judge\P7052lma

WHEREAS, information having been received by the Idaho State Board of Social Work Examiners (hereinafter the "Board") which constitutes sufficient grounds for the initiation of an administrative action against Raymond J. Judge (hereinafter "Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

**A.**

1. The Board may regulate the practice of social work in the State of Idaho in accordance with title 54, chapter 32, Idaho Code.

2. Respondent Raymond J. Judge is a licensee of the Idaho State Board of Social Work Examiners and holds License No. LSW-370 to practice social work in the State of Idaho. Respondent's license is subject to the provisions of title 54, chapter 32, Idaho Code.

3. Pursuant to Idaho Code § 54-3204(4), the Board has adopted a rule requiring continuing education as a condition of continued licensure. Board Rule 351.01 (IDAPA 24.14.01.351.01) requires that each person holding an Idaho license as a social worker must annually complete twenty (20) hours of continuing education prior to license renewal.

4. On or about June 19, 2006, Respondent submitted his License Renewal Application for the 2006-07 renewal year. As part of his License Renewal Application, Respondent signed the following affidavit:

I hereby certify under penalty of perjury that my responses to the above are true and correct, and that I have met the continuing education requirement as prescribed by the laws & rules applicable to the license for which I am applying to renew, and that documented proof of my attendance is in my possession and will be provided upon request.

5. The License Renewal Application further notified Respondent that the Board would conduct random audits to ensure compliance with continuing education requirements.

6. On or about August 22, 2006, Respondent was notified that he had been selected for a continuing education audit and was requested to provide documentation of the completion of twenty hours of regular continuing education including one hour of ethics continuing education for the period between June 17, 2005, and June 17, 2006. Respondent did not respond to the audit request.

7. In a letter to the Attorney General's Office, dated February 14, 2007, Respondent represented that he is not practicing as a social worker in Idaho and offered to surrender his license. A true and correct copy of Respondent's February 14, 2007, letter to the Attorney General's Office is attached hereto as Exhibit A.

8. The above-stated allegations, if proven, would constitute a violation of the laws and rules governing the practice of social work, specifically Idaho Code §§ 54-3204(4) and 54-3211(3) and (7), and IDAPA 24.14.01.351.01. Violations of these laws and rules would further constitute grounds for disciplinary action against Respondent's license to practice social work in the State of Idaho.

9. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby admits the violations and agrees to the discipline against his license as set forth in Section C below.

**B.**

I, Raymond J. Judge, by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated above in Section A. I further understand that these allegations constitute cause for disciplinary action upon my license to practice social work in the State of Idaho.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of social work in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this stipulation as a resolution of the pending allegations.

3. I understand that in signing this Stipulation and Consent Order I am enabling the Board to impose disciplinary action upon my license without further process.

**C.**

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this stipulation whereby:

1. The Board hereby accepts Respondent's voluntary surrender of License No. LSW-370. Respondent shall immediately return said license to the Bureau of Occupational Licenses.

2. Should Respondent request reinstatement of licensure in the future, the following conditions of reinstatement shall apply:

a. For a period of three (3) years following reinstatement, Respondent shall submit with each annual application for license renewal documentation verifying completion of required continuing education.

b. The Board reserves the right, in its discretion, to impose additional conditions of reinstatement of licensure in accordance with title 54, chapter 32, Idaho

Code and the Board's Rules, including, without limitation, assessing a fine in this Case No. SWO-2007-15 as a condition of reinstatement.

**D.**

1. It is hereby agreed between the parties that this Stipulation and Consent Order shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent's approval, or reject this settlement agreement, and if rejected by the Board, an administrative Complaint will be filed. By signing this document, Respondent waives any right Respondent may have to challenge the Board's impartiality to hear the allegations in the Complaint based on the fact that the Board has considered and rejected this settlement agreement. Pursuant to Idaho Code § 67-5252, Respondent retains the right to otherwise challenge the impartiality of any Board member to hear the allegations in the Complaint based upon bias, prejudice, interest, substantial prior involvement in the case or any other reason provided by law or for any cause for which a judge is or may be disqualified.

3. If the Board does not accept this Consent Order then, except for Respondent's waiver set forth in Paragraph D(2), above, it shall be regarded as null and void. Admissions by Respondent in the settlement agreement will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. With the exception of Paragraph D(2), above, which becomes effective upon Respondent signing this document, this Stipulation and Consent Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Any default of this Stipulation and Consent Order shall be considered a violation of Idaho Code § 54-3211. If Respondent violates or fails to comply with this Stipulation and Consent Order, the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board to assess whether or not Respondent has defaulted under this agreement. The Chief shall also serve notice of the default hearing and charges to Respondent and to Respondent's attorney, if any. Within twenty-one (21) days after the notice of default hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations of default will be deemed admitted.

b. At the default hearing, the Board and Respondent may submit affidavits made on personal knowledge and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Consent Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

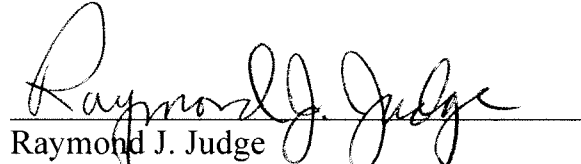
c. At the default hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent's practice or suspension or revocation of Respondent's license.

7. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

8. This Stipulation and Consent Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this stipulation according to the aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

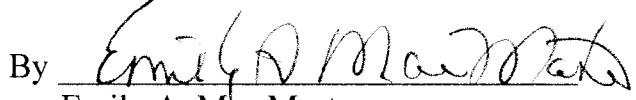
DATED this 19 day of March, 2007.

  
Raymond J. Judge  
Respondent

I concur in this stipulation and order.

DATED this 22<sup>nd</sup> day of March, 2007.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By   
Emily A. Mac Master  
Deputy Attorney General

### ORDER

Pursuant to Idaho Code § 54-3204, the foregoing is adopted as the decision of the Board of Social Work Examiners in this matter and shall be effective on the 22<sup>nd</sup> day of April, 2007. **IT IS SO ORDERED.**

IDAHO STATE BOARD  
OF SOCIAL WORK EXAMINERS

By   
Robert Payne, Chair

## CERTIFICATE OF SERVICE

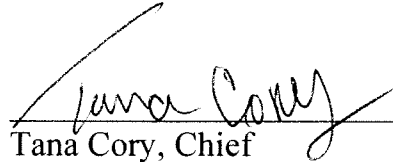
I HEREBY CERTIFY that on this 2nd day of April, 2007, I caused to be served a true and correct copy of the foregoing by the following method to:

Raymond J. Judge  
510 W. 15th Street  
Post Falls, ID 83854

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: \_\_\_\_\_
- ☐ Statehouse Mail

Emily A. Mac Master  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: \_\_\_\_\_
- ☒ Statehouse Mail

  
\_\_\_\_\_  
Tana Cory, Chief  
Bureau of Occupational Licenses

**02/14/2007**

**To: Lori Peel, Attorney General Office, State of Idaho**  
**From: Raymond J. Judge**  
**Re: Board of Social Work**

**Dear Ms. Peel;**

**I am writing in regards to your phone conversation with me today regard the letter that was sent to me dated 08/23/2006 requesting proof of CEU'S for the 06/2005 – 06/2006 period.**

**I am not working or practicing as a Social Worker at this time and am currently on Social Security Disability for my blindness. I was financial unable to attend any seminars due to my financial situation.**

**I due apologize to the Board of Social Workers for signing my renewal form instead of just not renewing my license at all. I am deeply sorry and I am willing to surrender my license effective immediately.**

**If there are any questions, please feel free to contact me.**

**Respectfully Yours,**

**Raymond Judge**